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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: HANS CZERNY-1 PCT Serial No. 10/519,872  
PCT NO.: PCT/EP2003/006423 Filed: Jan. 3, 2005  
FILED: June 18, 2003  
TITLE: Sound-Proofing Floor Covering and Method for the  
Production Thereof

SUBMISSION OF INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT

MAIL STOP AMENDMENT  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is the International Preliminary Examination Report  
for the above-identified application.

Respectfully submitted,

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Enclosure:  
International Preliminary Examination Report

I hereby certify that this correspondence is being deposited  
with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner of Patents, Alexandria, VA 22313-1450, on April 25, 2005.

Ingrid Mittendorf

## PATENT COOPERATION TREATY



## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 020279WO	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/006423	International filing date (day/month/year) 18 June 2003 (18.06.2003)	Priority date (day/month/year) 01 July 2002 (01.07.2002)
International Patent Classification (IPC) or national classification and IPC B60R 13/08		
Applicant CARCOUSTICS TECH CENTER GMBH		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 5 sheets, including this cover sheet.  
  
☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  
  
 These annexes consist of a total of            sheets.

- This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 22 January 2004 (22.01.2004)	Date of completion of this report 19 November 2004 (19.11.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/006423

## I. Basis of the report

## 1. With regard to the elements of the international application:\*

- ☐ the international application as originally filed
- ☒ the description:  
 pages \_\_\_\_\_ 1-9 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the claims:  
 pages \_\_\_\_\_ 1-18 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, as amended (together with any statement under Article 19  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the drawings:  
 pages \_\_\_\_\_ 1/2-2/2 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

## 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

## 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	1-18	YES
	Claims		NO
Inventive step (IS)	Claims	1-18	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-18	YES
	Claims		NO

## 2. Citations and explanations

1. Reference is made to document EP-A-0361799 (D1).

## 2. Novelty

a. D1 discloses a soundproofing floor covering, in particular for motor vehicles, the floor covering having a carpet layer, which comprises a base support on the rear side, and an underlayer which is bonded to the rear side of the carpet layer by a hot-melt-type adhesive applied in several stages.

The features in the characterizing part of claim 1 are not known from D1 and hence the subject matter of claim 1 is novel.

b. Claims 2 to 18 are dependent on claim 1 and hence likewise meet the PCT novelty requirements.

## 3. Inventive step

a. In the case of the layered structure (floor covering) known from D1 (see in particular figure 1), a base support is first produced as "carpet base 12".

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This base support, as a prefabricated product, consists of a carpet layer that comprises on one side a support layer and of a layer (precoat of latex 24) which is applied to the support layer side remote from the carpet layer to integrate the filament (20) into the support layer (primary backing 25).

The problem with the layered structure (floor covering) known from D1 as concerns the production of soundproofing is that the floor covering is heavy and requires a relatively complex and expensive production method: the base support (12) is produced first - the layer (24) is applied to the support layer (22) as the first stage of the production method - and it is solely laminated integrally to the layer (nonwoven layer 14) by means of a layer of adhesive (adhesive layer 16).

The solution to this problem is provided in the characterizing part of claim 1: the hot-melt-type adhesive layers (5 and 6) - with different average melt-flow rates and melting points - are applied in the same method (two stages); see in particular figure 3.

The prior art neither discloses nor suggests this solution. Therefore the subject matter of claim 1 is inventive.

b. Claims 2 to 18 are dependent on claim 1 and hence likewise meet the PCT inventive step requirements.

#### 4. Industrial applicability

The subject matter of claims 1 to 18 can be used in particular in the automotive industry.